

ORDINANCE NO. 2022- D603

**AN ORDINANCE OF THE VILLAGE OF BALD HEAD ISLAND, NORTH CAROLINA TO AMEND CHAPTER 32 OF THE VILLAGE CODE OF ORDINANCES TO DEFINE AND CLASSIFY “SCHOOL” AS A SPECIAL USE IN THE PLANNED DEVELOPMENT 2 COMMERCIAL ZONING DISTRICT**

**WHEREAS**, pursuant to Chapter 160D of the North Carolina General Statutes (“Chapter 160D”), the Village of Bald Head Island (the “Village”) may establish zoning districts, classify property within its territorial jurisdiction, and adopt and amend zoning regulations in the interest of furthering the public health, safety, and welfare of the Village; and

**WHEREAS**, Chapter 32 of the Village Code of Ordinances, as amended from time-to-time, contains a comprehensive set of zoning regulations for the Village; and

**WHEREAS**, the Village adopted the CAMA Core Land Use Plan (the “Land Use Plan”) on or about April 11, 2008, which among other things, provides guidance for future development of the island;

**WHEREAS**, on April 22, 2022, the Planning Board considered and approved a Zoning Statement of Consistency and Recommendation that Chapter 32 of the Code of Ordinances be amended to define and classify “school” as a special use in the Planned Development 2 Commercial (“PD-2C”) Zoning District;

**WHEREAS**, on June 17, 2022, the Village Council received and considered the Planning Board’s Zoning Statement of Consistency and Recommendation and held a public hearing on the question of the proposed text amendment;

**WHEREAS**, in accordance with the provisions of N.C. Gen Stat § 160D-605, the Village Council does hereby find and determine that the proposed text amendment is consistent with the comprehensive zoning goals of the Village, including as set forth in its Land Use Plan and other relevant development planning document produced by the Village;

**WHEREAS**, the Village Council has determined it to be in the best interests of the Village to adopt the proposed text amendment to the Village Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED**, by the Village of Bald Head Island, North Carolina that:

**Section 1.** Section 32-11 of the Village Code be amended to include a definition of “School”, as follows:

*School* means an organization offering education at the kindergarten, elementary, or secondary levels that is authorized to operate as a school pursuant to Chapter 115C of the General Statutes of North Carolina.

**Section 2.** The Permitted & Special Uses Table in Section 32-126 of the Village Code be amended to include “School” as a special use in the PD-2C non-residential zoning district, as follows:

<i>Uses</i>	<i>PD-1</i>	<i>PD-2</i>	<i>PD-2C</i>	<i>PD-3</i>	<i>PD-3C</i>	<i>PD-3C-1</i>	<i>PD-4</i>	<i>NC</i>
<b><u>NON-RESIDENTIAL</u></b>								
School			S					

**Section 3.** All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This ordinance shall become effective upon adoption.

Passed and adopted by the Village Council this the 17<sup>th</sup> day of June, 2022.

BY:

  
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 PETER QUINN, Mayor

ATTEST:

  
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 DARCY SPERRY, Village Clerk

